

effective by inunction in treatment of protein deficiencies and biliary deficiency states, and in specific, virogenic, metabolic, or allergic infections and syndromes.

DISPOSITION: April 1, 1948. Default decree of condemnation and forfeiture. The product was subsequently destroyed.

2381. Misbranding of Ostabs Antiseptic Mouthwash Tablets. U. S. v. 41 Bottles, etc. (F. D. C. No. 23986. Sample No. 18218-K.)

LIBEL FILED: November 28, 1947, Northern District of Ohio.

ALLEGED SHIPMENT: On or about September 8, 1947, by Ostab Laboratories, Inc., from Buffalo, N. Y.

PRODUCT: 41 125-tablet bottles, 82 50-tablet bottles, and 168 20-tablet bottles of *Ostabs Antiseptic Mouthwash Tablets* at Cleveland, Ohio. Examination showed that the product was not antiseptic when prepared as directed, i. e., "Dissolve One Ostab Tablet in Glass of Water and Stir."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "*Ostabs Antiseptic Mouthwash Tablets*" was false and misleading as applied to an article which was not antiseptic.

DISPOSITION: April 7, 1948. Default decree of condemnation and destruction.

2382. Misbranding of Ultra-Tone Magic Salve. U. S. v. 87 Tubes, etc. (F. D. C. No. 23953. Sample Nos. 33014-K, 33015-K.)

LIBEL FILED: November 7, 1947, Northern District of California.

ALLEGED SHIPMENT: On or about July 15, 1947, by the Ultra Chemical Products, from Honolulu, Hawaii.

PRODUCT: 87 ½-ounce tubes and 27 14-gram tins of *Ultra-Tone Magic Salve* at San Francisco, Calif. Examination showed that the product contained salicylic acid, benzoic acid, and boric acid, in a petrolatum base.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading, since they represented and suggested that the article was efficacious in the treatment and prevention of fungi itch, barbers' itch, insect bites, ringworm, pimples, scabies, eczema, boils, cuts, itchy skin, scaly skin conditions, and irritations caused by external factors, whereas the article was not efficacious in the treatment and prevention of such disease conditions.

DISPOSITION: February 27, 1948. Default decree of condemnation and destruction.

2383. Misbranding of A-1 Salve No. 2, A-1 Salve, and A-1 Sulphur Soap. U. S. v. 66 Cartons, etc. (F. D. C. No. 23189. Sample Nos. 71144-H to 71149-H, incl.)

LIBEL FILED: June 13, 1947, Southern District of California.

ALLEGED SHIPMENT: From Chicago, Ill., by the Wizard Products Co. The products were shipped on or about April 7 and May 9, 1947, and a number of placards were shipped on or about February 7 and April 7, 1947.

PRODUCT: 134 cartons each containing a circular headed "A-1 Salve No. 2" and one 2-ounce or 4-ounce jar of *A-1 Salve No. 2*, 287 cartons each containing a circular headed "A-1 Salve" and one jar of *A-1 Salve*, and 60 cartons, each containing one cake, of *A-1 Sulphur Soap* at Los Angeles, Calif., together with a number of placards headed "Skin Disorders or Mycotic Infections," "Wizard Products Company Try A-1 Salve," and "Use A-1 Sulphur Soap." Analyses disclosed that the *A-1 Salve No. 2* was an ointment containing a fatty oil, lanolin, ichthammol, and a small proportion of a manganese compound; that the *A-1 Salve* was an ointment containing petrolatum, lanolin, sulfur, salicylic acid, zinc oxide, and chemically combined iodine; and that the *A-1 Sulphur Soap* was soap mixed with sulfur.

NATURE OF CHARGE: *A-1 Salve No. 2* (2-ounce size). Misbranding, Section 502 (a), certain statements in the circular enclosed with the jars of the article were false and misleading, since they represented and suggested that the article was effective for ulcers due to infections; that it was effective by reason of its ichthammol content in a large variety of skin diseases, especially in acne and furunculosis; that it contained tannic acid, which is the standard treatment for all serious burns; that affected areas of the skin treated with the article would be remedied rapidly; and that the article would be useful in the

self-treatment of ulcer-like growths, such as cancers, diabetic sores, and varicose vein ulcers. The article was not effective for the purposes represented; tannic acid is not the standard treatment for all serious burns; affected areas of the skin treated with the article would not be remedied rapidly; and the article would not be useful in the self-treatment of ulcer-like growths, such as cancers, diabetic sores, and varicose vein ulcers. Further misbranding, Section 502 (a), certain statements on the label were misleading, since they created the impression that the use of the article would be efficacious in the self-treatment of the disease conditions mentioned, whereas the article would not be efficacious in the self-treatment of the following conditions: "Such skin disorders as ulcers, varicose ulcers, diabetic ulcers, weeping eczema and others, are serious conditions usually internally caused, and require the attention of a dermatologist or other physician. But meanwhile the irritation may be temporarily relieved and the discomforts allayed by the application of A-1 Salve No. 2 * * * Attention: After initial cleansing of affected area, progress will be more rapid if water and soap can be eliminated during the use of the salve."

A-1 Salve. Misbranding, Section 502 (a), the statement in the circular enclosed with the article, which represented and suggested that the article was effective in the treatment of conditions due to systemic causes, was false and misleading, since the article was not effective for such purpose.

A-1 Salve No. 2 (2- and 4-ounce sizes), and *A-1 Salve.* Misbranding, Section 502 (a), the statement "Pompholyx" and the photographs purporting to show feet before and after treatment of this skin disorder with *A-1 Salve*, appearing on an accompanying placard, were misleading, since the statement and photographs represented and suggested that the articles were effective in the treatment of pompholyx, whereas they were not effective for such purposes. Further misbranding, Section 502 (a), certain statements and designs on accompanying placards, i. e., "Skin Disorder's * * * Varicose Ulcer Weeping Eczema Psoriasis Alopecia Eczema * * * Try A-1 Salve" and "Varicose Ulcer Psoriasis Food Allergy Alopecia Eczema" and photographs showing such skin disorders, were misleading since the statements and designs represented and suggested that the articles were effective in the treatment of such conditions, whereas the articles were not effective for such purpose; and the misleading impression created by the statements and designs was not corrected by the following statements which were printed in small, relatively inconspicuous type, since it was obvious that the purpose in presenting the photographs was to induce purchasers to use the articles for the treatment of the conditions depicted: "These are photographs of limbs afflicted with Varicose Ulcers and Weeping Eczema. Such cases are due to systemic causes which require the attention of a physician. If an ointment is indicated as a dressing by the attending physician we suggest the use of A-1 SALVE No. 2." and "These are pictures of acute cases of Psoriasis, Alopecia, and Eczema. They may become chronic and require the services of a competent physician. In such cases, if the physician advises the use of an ointment as a dressing, we suggest the use of A-1 SALVE."

A-1 Sulphur Soap. Misbranding, Section 502 (a), the following statements in the labeling of the article were misleading: (Carton) "A-1 Sulphur Soap * * * is intended to help in Parasitic Infections" and (placard) "Use A-1 Sulphur Soap A special preparation * * * intended to help in Parasitic Infections." The statements represented and suggested that the article constituted an adequate treatment for parasitic infections, whereas the article did not constitute an adequate treatment for such conditions.

DISPOSITION: July 30, 1947. Default decree of condemnation and destruction.

2384. Misbranding of Scalp-Eez. U. S. v. 12 Cartons * * *. (F. D. C. No. 22658. Sample No. 81420-H.)

LIBEL FILED: March 3, 1947, Western District of Washington.

ALLEGED SHIPMENT: On or about November 21, 1946, by Scalp-Eez, Inc., from Martinez, Calif.

PRODUCT: 12 cartons, each containing 1 4-ounce jar, of *Scalp-Eez* at Vancouver, Wash. Examination showed that the product consisted essentially of sulfur, volatile oils such as oil of cade, with small proportions of an iodide and quinine incorporated in an ointment base.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article was false and misleading, since it represented and suggested that the article